

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Stephanie Gordon,

Plaintiff,

V.

State of Nevada, et al.,

Defendants.

Case No.: 2:22-cv-00182-CDS-NJK

Order Adopting Report and Recommendation

(ECF No. 10)

Before the Court is United States Magistrate Judge Brenda N. Weksler's Report and

13 | Recommendation (R&R) recommending I dismiss this action without prejudice. ECF No. 10.

Magistrate Judge Weksler previously issued a screening order (“screening order”)

15| advising Plaintiff she needed to file an amended complaint curing deficiencies identified in the

16 | pleading by March 2, 2022. ECF No. 3. Plaintiff was subsequently granted an extension of time

17 | to amend her complaint and the deadline was extended to April 4, 2022. ECF No. 5 at 2. Plaintiff

18 | was again advised that failure to comply with the order would result in a recommendation that

19 this case be dismissed. *Id.* On April 20, 2022, after finding no amended complaint had been filed,

20 Magistrate Judge Weksler issued an R&R recommending that the Plaintiffs' case be dismissed

21 without prejudice. ECF No. 7. In response, the Plaintiff filed a motion for reconsideration. ECF

22 No. 8. The Court granted her request, vacated the R&R, and ordered the amended the complain

23 be filed by May 20, 2022. ECF No. 9. Plaintiff was advised that failure to file an amended

24 complaint would result in a recommendation that this complaint be dismissed without

1 prejudice. *Id.* at 3. Plaintiff did not file an amended complaint. On July 5, 2022, the Magistrate
2 Judge issued the instant R&R recommending Plaintiff's complaint be dismissed without
3 prejudice. ECF No. 10.

4 “[N]o review is required of a magistrate judge’s report and recommendation unless
5 objections are filed.”¹ Here, Plaintiff has not filed any objections.

6 While de novo review is not required because Plaintiff failed to file objections, I
7 nevertheless reviewed the issues set forth in the report and recommendation (28 U.S.C. §
8 636(b)(1)), and find that Judge Weksler set forth the proper legal analysis and factual basis in
9 the R&R (ECF No. 10) and in the original screening order (ECF No. 3) which identified the
10 deficiencies in Plaintiff’s complaint.

11 Accordingly, the report and recommendation (ECF No. 10) of United States Magistrate
12 Judge Weksler is AFFIRMED and adopted in its entirety. The Plaintiff’s complaint is dismissed
13 without prejudice.

14 The Clerk of the Court shall enter judgment and close the case.

15 IT IS SO ORDERED.

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17 DATED this 1st day of August, 2022.



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23 Cristina D. Silva
24 United States District Judge

1¹ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).